

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

IN RE:)	
)	
PATRICIA L. CRUICKSHANKS)	Case No. 12-37058-KRH
)	Chapter 13
Debtor)	

NOTICE OF MOTION TO EXTEND THE AUTOMATIC STAY AND HEARING

The above named Debtor, by counsel, has filed a Motion for Extension of the Automatic Stay with the Court pursuant to 11 U.S.C. § 362(c)(3)(B). Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one.

NOTICE IS HEREBY GIVEN THAT A HEARING ON THIS MOTION WILL BE HELD ON January 2, 2013 at 10:30 a.m. in Honorable Kevin R. Huennekens' Courtroom, U.S. Bankruptcy Court, 701 E. Broad Street, Room 5000, Richmond, VA 23219.

If you want to be heard on this matter, then no later than three (3) days before the date of the hearing, you or your attorney must:

1. File with the court, at the address below, a written response pursuant to Local Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so that the Court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 E. Broad Street, Room 4000
Richmond, VA 23219-3515

2. You must also mail a copy to:

James E. Kane, Esquire
Kane & Papa, PC
P.O. Box 508
Richmond, VA 23218

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an Order granting that relief.

Respectfully submitted,

PATRICIA L. CRUICKSHANKS
By Counsel

/s/ James E. Kane
James E. Kane (VSB# 30081)
Kane & Papa, P.C.
P. O. Box 508
Richmond, Virginia 23218-0508
Telephone (804) 225-9500
Counsel for Debtor

CERTIFICATE OF SERVICE

I certify that on December 13, 2012, I have transmitted a true copy of the foregoing document electronically through the Court's CM/ECF system or by mail to the Debtors, Chapter 13 trustee, the United States trustee if other than by the electronic means provided for at Local Bankruptcy Rule 2002-1, all attorneys appearing in the previous case as listed below, and to all creditors and parties in interest of the mailing matrix attached hereto.

/s/ James E. Kane
Counsel for Debtor

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
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IN RE:)	
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PATRICIA L. CRUICKSHANKS)	Case No. 12-37058-KRH
)	Chapter 13
Debtor)	

MOTION TO EXTEND AUTOMATIC STAY

COMES NOW the Debtor by counsel, pursuant to 11 U.S.C. § 362(c)(3)(B) and files the following Motion to Extend Automatic Stay, and affirmatively states as follows:

Jurisdiction

1. Jurisdiction of this Court over the instant matter is based upon 28 U.S.C. §§ 1334 and 157 in that this action arises in and relates to the bankruptcy case of the Debtors.
2. This proceeding is a core proceeding under 28 U.S.C. § 157(b)(2)(A), (B), (K), and (O).
3. Venue is proper pursuant to 28 U.S.C. § 1409.

Background Facts

4. On December 12, 2012 (hereinafter the “Petition Date”), the Debtor filed a petition for relief under Chapter 13 of the Bankruptcy Code (the “instant case”).
5. Within the year prior to filing the instant case, Debtor has been a debtor in one (1) pending Chapter 13 bankruptcy case which was filed on April 4, 2012 and dismissed on or about August 14, 2012 (Case No. 12-32162) (the “previous case”).
6. The previous case was dismissed because the Debtor was unable to make her payments to the Chapter 13 Trustee and obtain a confirmed plan.

7. Because the instant case was commenced within one (1) year of the dismissal of the prior case, the automatic stay in the instant case will expire “with respect to any action taken with respect to a debt or property securing such debt or with respect to any lease . . . ” unless the Court extends the automatic stay. 11 U.S.C. § 362(c)(3)(A) and (B).

8. Since the dismissal of the previous case, the Debtor has finalized a modification of the loan secured by a first mortgage on her principal residence and is now able to fund a confirmable Chapter 13 Plan.

9. A Memorandum of Law and Affidavit of the Debtor in support of this Motion will be filed forthwith.

WHEREFORE, for the foregoing reasons, the Debtor respectfully requests that this Honorable Court enter an Order extending the automatic stay as to all creditors, as to Debtor and her property, and as to the property of the estate for the duration of the instant case, and for such other and further relief as to the Court shall be deemed appropriate.

Respectfully submitted,

PATRICIA L. CRUICKSHANKS

By Counsel:

/s/ James E. Kane
James E. Kane (VSB# 30081)
Kane & Papa, P.C.
P. O. Box 508
Richmond, Virginia 23218-0508
Telephone (804) 225-9500
Counsel for Debtor

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/s/ James E. Kane
Counsel for Debtor

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1015 Cobb Place Blvd NW
Kennesaw, GA 30144

Aarons, Inc.
P.O. Box 102746
Atlanta, GA 30368

AES
1200 North Seven Street
Harrisburg, PA 17102

AFNI, Inc.
P.O. Box 3427
Bloomington, IL 61702

Allied Collection Services
3080 S. Durango Drive
Suite 208
Las Vegas, NV 89117

American Infosource LP
PO Box 248848
Oklahoma City, OK 73124

Ballato Law Firm
3721 Weterr Parkway
Suite A
Henrico, VA 23233

CAC Financial Corp.
2601 NW Expressway
Oklahoma City, OK 73112

Capital City
P.O. Box 740776
Cincinnati, OH 45274

Chesterfield FCU
P.O. Box 820
Chesterfield, VA 23832

Chippenham Hospital
PO Box 13620
Richmond, VA 23225

City of Richmond
Office of Finance
900 E. Broad St., Room 103□□
Richmond, VA 23219

City of Richmond
Dept of Public Utilities
900 E. Broad St.
Richmond, VA 23219

City of Richmond
Dept of Public Utilities
730 E. Broad St., 5th Floor
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PO Box 26624
Richmond, VA 23261

CJW Medical Center
PO Box 9112
Seattle, WA 98111

Columbia House
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Rantoul, IL 61866

Comcast
5401 Staples Mill Road
Henrico, VA 23228

Commonwealth of Virginia
Department of Motor Vehicles
P.O. Box 27412
Richmond, VA 23269

Commowealth Attorney
Check Enforcement Program
400 North 9th Street
Richmond, VA 23219

Credit Adjustment Board
306 E Grace St.
Richmond, VA 23219

Dr. Alexander White
c/o Credit Adjustment Board
306 E Grace St.
Richmond, VA 23219

Eastern Account
PO Box 837
Newtown, CT 06470

Education Credit Management
1 Imation Place
Oakdale, MN 55128

Eugene Price
t/a Price Auto Repair
1205 School Street
Richmond, VA 23220

Express Check Advance of VA
5203 S. Laburnum Ave.
Henrico, VA 23231

Family Financial Corporation
4224 West Broad Street
Richmond, VA 23230

Fast Auto Loans
6150 Midlothian Turnpike
Richmond, VA 23225

Fast Payday Loans
6150 Midlothian Tnpk
Richmond, VA 23225

First Premier
3820 North Louise Avenue
Sioux Falls, SD 57107

First Virginia Financial Svcs
9121 Staples Mill Road
Henrico, VA 23228

Focused Recovery
9701 Metropolitan Ct.
Richmond, VA 23236

GRH Management LLC
19 Highland Ave Sw
Roanoke, VA 24016

Harris & Harris of Illinois
203 East Cary Street
Suite 127
Richmond, VA 23219

Henrico County of Dept of Tax
Parham & Hungary Springs Rds
Henrico, VA 23273

Henrico Doctors Hospital
PO Box 13620
Richmond, VA 23225

HSBC/Taxpayer
P.O. Box 15524
Wilmington, DE 19850

IC Systems Collections
PO Box 64378
Saint Paul, MN 55164

Internal Revenue Service
Kansas City, MO 64999-0002

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101

Johnsons Bail Bonds
1821 East Nine Mile Road
Henrico, VA 23075

Kane & Papa, P.C.
P.O. Box 508
Richmond, VA 23218-0508

Kings Creek Plantation LLC
191 Cottage Cove Lane
Williamsburg, VA 23185

Lantern Ridge, LC
3951-A STILLMAN PKWY
Henrico, VA 23294

MCV Physicians
1605 Rhoadmiller St.
Richmond, VA 23220

Metabank
PO Box 17402
Salt Lake City, UT 84171

Mid Atltantic Nephrology
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Richmond, VA 23223

Muriel Salmon by Ted Salmon
c/o R. Glen Morgan
PO Box 3570
Chester, VA 23831

N Telos
P.O. Box 580423
Charlotte, NC 28258

National Fitness
PO Box 497
Layton, UT 84041

Ocwen Loan Servicing
1661 Worthington Road
Suite 100
West Palm Beach, FL 33409

PHG Capital City
PO Box 740776
Cincinnati, OH 45274

PMAB
PO Box 12150
Charlotte, NC 28220

Premier Bankcard
PO Box 2208
Vacaville, CA 95696

Primary Health Group, Inc.
505 West Leigh Street
Suite 303
Richmond, VA 23220

Radiology Assoc. of Richmond
2602 Buford Road
Richmond, VA 23225

Richmond Ambulance Authority
PO Box 26286
Richmond, VA 23260

Sprint
P.O. Box 4191
Carol Stream, IL 60197

Sprint Nextel
PO Box 7949
Overland Park, KS 66207

Standard Furniture
201 East Belt Boulevard
Richmond, VA 23224

T-Mobile
PO Box 742596
Cincinnati, OH 45274

The Wellesley Estate
3901 Westere Parkway
Suite 100
Henrico, VA 23233

Treasurer Chesterfield County
PO Box 70
Chesterfield, VA 23832

U.S. Department of Education
PO Box 7859
Alpharetta, GA 30022

United Consumers
PO Box 4466
Woodbridge, VA 22194

VCU Health Systems
PO Box 758721
Baltimore, MD 21275

Venning, Inc.
306 East 32nd Street
Richmond, VA 23224

Verizon Virginia
500 Technology Drive
Suite 300
Weldon Springs, MO 63304

Virginia Auto, Inc.
6129 Jefferson Davis Highway
Richmond, VA 23234

Virginia Dept. of Taxation
Post Office Box 1115
Richmond, VA 23218-1115

Virginia Emergency Physicians
1602 Skipwith Road
Henrico, VA 23229

Virginia Eye Institute
400 Westhampton Station
Richmond, VA 23226

Wells Fargo Bank
PO Box 13765
Roanoke, VA 24037

West Asset Management
1000 N Travis Street
Sherman, TX 75090

Williamson Petty LC
6800 Paragon Place
Suite 233
Richmond, VA 23230